

ASSEMBLY BILL

No. 862

Introduced by Assembly Members Silva and Jeffries
(Principal coauthor: Assembly Member Logue)
(Coauthor: Assembly Member Allen)
(Coauthor: Senator Emmerson)

February 17, 2011

An act to add Chapter 15 (commencing with Section 4870) to Division 4.5 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 862, as introduced, Silva. Developmental services: Regional Center Records Act.

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is authorized to contract with regional centers to provide support and services to individuals with developmental disabilities.

The California Public Records Act requires state and local agencies to make their records available for public inspection and to make copies available upon request and payment of a fee unless they are exempt from disclosure.

This bill would enact the Regional Center Records Act. The act would require regional centers to disclose specified information to the public, subject to certain provisions. The bill would also require the department to consult with the regional centers to develop policies and procedures to implement the act.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 15 (commencing with Section 4870) is added to Division 4.5 of the Welfare and Institutions Code, to read:

CHAPTER 15. REGIONAL CENTER RECORDS

4870. This chapter shall be known, and may be cited as, the Regional Center Records Act.

4871. For purposes of this chapter, the following definitions shall apply:

(a) "Department" shall mean the State Department of Developmental Services.

(b) "Vendor" shall mean an individual or entity approved to provide services and supports to consumers pursuant to Section 4648.

4872. A regional center shall, upon request from a member of the public, make available in a reasonable and timely manner, the following information:

(a) The company name and principals of any entity established as a vendor with the regional center.

(b) Vendor program designs.

(c) Actual rates per service codes.

(d) Actual rates paid to all vendors.

(e) Actual rates paid per vendor code.

(f) Actual rate formulas.

(g) Actual vendor referral rates.

(h) Vendor reviews, audits, or quality assurance reports.

(i) Contracts entered into with any vendor.

(j) The number of consumers that qualify for a developmental disability waiver.

(k) Data regarding actual administrative expenditures to include travel, salaries, and pension costs.

(l) Data regarding contracts for services to the regional center, including, but not limited to, leases, vehicles, legal services, consulting, and any other goods or services.

(m) Any legal settlements that can be disclosed.

(n) Conflict of interest disclosures.

(o) Any public moneys used for or by a nonprofit housing organization.

1 (p) Audits of the regional center.

2 4873. A regional center may charge a fee to cover the actual
3 costs of reproduction of files commensurate with the fee schedule
4 in the California Public Records Act (Chapter 3.5 (commencing
5 with Section 6250) of Division 7 of Title 1 of the Government
6 Code).

7 4874. The department shall consult with the regional centers
8 to develop policies and procedures to implement this chapter.

9 4875. Nothing in this chapter shall be construed to limit or
10 change the privacy protections afforded by any other provision of
11 law.

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